

## Message Text

UNCLASSIFIED

PAGE 01 SAN JO 01124 182140Z

ACTION IO-13

INFO OCT-01 ARA-10 ISO-00 DEAE-00 CIAE-00 INR-07  
JUSE-00 NSAE-00 SNM-02 TRSE-00 USIA-15 NSC-05  
OES-06 OMB-01 HEW-06 DODE-00 MED-03 AID-05 IGA-02  
AGRE-00 L-03 H-02 /081 W  
-----182144Z 122743 /14

P R 182120Z MAR 77

FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC PRIORITY 6752

INFO USMISSION GENEVA

UNCLAS SAN JOSE 1124

E.O. 11652: N/A

TAGS: SNAR CS

SUBJECT: CONGRESSIONAL HEARINGS ON DECRIMINALIZATION OF  
MARIHUANA

REF: STATE 057902 DATED 15 MARCH 77

1. COSTA RICA LAWS PERTAINING TO POSSESSION OF MARIHUANA  
CONTAINED IN A) CODIGO SANITARIO, SECTION 372 AND B)  
LEY GENERAL DE SALUD, SECTIONS 371 AND 372. MARIHUANA AND  
OTHER NARCOTICS CLASSIFIED IN FOUR CATEGORIES WITH ACCOM-  
PANYING PENALTIES:

- A) POSSESSION -- 5 - 10 YEARS
- B) TRAFFICKING -- 5 - 10 YEARS
- C) CULTIVATION -- 5 - 10 YEARS
- D) ORGANIZED INTERNATIONAL TRAFFICKING -- 10 - 15 YEARS.

2. PENALTIES FOR PERSONAL USE AND TRAFFICKING ARE SAME,  
UNLESS SUFFICIENT PROOF PRESENTED TO INDICATE CLASSIFICATION  
AS "DRUG ADDICT" TO MARIHUANA, IN WHICH CASE JUDGE ALLOWS  
FOR REHABILITATION TREATMENT.

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PAGE 02 SAN JO 01124 182140Z

3. IN ACTUAL PRACTICE, IF LAW ENFORCEMENT OFFICERS CANNOT  
PROVE "TRAFFICKING", THEN CHARGE AUTOMATICALLY BECOMES  
"POSSESSION". POSSESSION CHARGE IS CONSIDERED BY MAGISTRATES  
AS POSSESSION FOR PERSON USE. THIS IS SUFFICIENT PROOF  
THAT ACCUSED IS A DRUG ADDICT AND IS THEREFORE SET FREE TO  
OBTAIN REHABILITATION TREATMENT.

4. SINCE MARIHUANA IS THE MAJOR DRUG OF ABUSE IN COSTA RICA,  
ITS LAWS ARE STRICTLY ENFORCED BY THEIR POLICE DEPARTMENTS.  
KILDAY

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NNN

## Message Attributes

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**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW, CRIMES, DRUG TRAFFIC, MARIJUANA, US CONGRESSIONAL HEARINGS  
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**Review Markings:**  
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